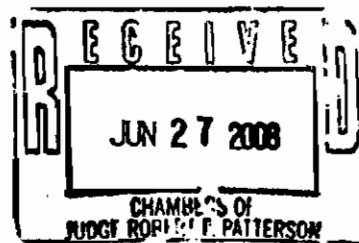


**HINSHAW**

&amp; CULBERTSON LLP



June 27, 2008

**VIA FACSIMILE BY PERMISSION**

Hon. Robert P. Patterson, U.S.D.J.  
 United States District Court  
 Southern District of New York  
 500 Pearl Street, Room 1340  
 New York, New York 10007

**ATTORNEYS AT LAW**

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**MEMO ENDORSE**

Re: Simantobov v. Brucha Mortgage Bankers, et al.  
 Docket No. 08-CV-4985

Dear Judge Patterson:

We represent defendant GMAC Mortgage, LLC ("GMAC") in the above-referenced action. We are in receipt of plaintiff's counsel's letter to your Honor requesting remand of the above referenced matter. GMAC continues to maintain that this Court properly has subject matter jurisdiction over the claims asserted in plaintiff's complaint.

Based on a conversation between myself and Mr. Zirbes this morning and depending on conversations we intend to have with our respective clients, the parties' positions as to remand may change. Mr. Zirbes and I have agreed to speak with each other again by next Tuesday. Accordingly, before burdening the Court with a proposed briefing schedule concerning plaintiff's application, the parties jointly request that the Court wait to consider Mr. Zirbes's letter until next Friday. Should the Court decide not to hold Mr. Zirbes' request in abeyance, GMAC requests that the Court issue a motion schedule and allow the parties to brief the issues.

Thank you for your time and consideration of this matter.

Respectfully submitted,

HINSHAW &amp; CULBERTSON LLP

  
Schuyler B. Kraus (SK-8105)

USDC SDNY  
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*Application granted*  
*The Court will hold*  
*Mr. Zirbes' request*  
*in abeyance to*  
*July 3, 2008*  
*So ordered*  
*Robert P. Patterson*  
*U.S.D.J.*  
*6/27/08*

31028771v1 889624  
Rhode Island Wisconsin

SEE TYPEWRITTEN MEMO  
 ENDORSEMENT ATTACHED

*order*

*The Court, not having*  
*heard from the parties,*  
*orders defendants to*  
*respond to Mr. Zirbes' letter*  
*of June 26, 2008 by 7/30/08.*  
*cc: Robert P. Patterson U.S.D.J.*  
*7/3/08.*

cc: Peter Zirbes, Esq. (via facsimile)

Memo endorsement reads:

Application granted.

*The Court will hold Mr. Zirbes's*  
*request in abeyance to July 3, 2008.*  
*So ordered.*

Arizona California Florida Illinois Indiana Massachusetts New Jersey New York Oregon Rhode Island Wisconsin

6/27/08

v2

**Case:** Simantobov v. Brucha Mortgage Bankers, et al.  
**Index No.** 08 Civ. 4985 (RPP)

**MEMO ENDORSEMENT READS:**

**Order**

***The Court, not having heard from the parties, orders defendants to respond to Mr. Zirbes' letter of June 26, 2008 by 7/10/08.***

***So ordered.***

***Robert P. Patterson, Jr., U.S.D.J., 7/3/08***